



UNC-Chapel Hill Export Compliance Office Memo

Publication of Amended Cuban Assets Control Regulations (CACR) 31 CFR 515

To: UNC Faculty, Staff, and Students

From: Division of Institutional Integrity and Risk Management – Export Compliance Office

Re: Cuban Assets Control Regulations (CACR)

Summary

On June 9, 2022, the Department of Treasury, Office of Foreign Assets Control (OFAC) published their final rule formally amending the Cuban Assets Control Regulations (“CACR”).¹ The purpose of the amendments is to align the CACR with the White House policy change, announced on May 16th, 2022, for increasing support of the Cuban people.² As detailed below, the amended sanctions alter the existing CACR to allow for 1. Professional research and professional meetings in Cuba, and 2. People-to-people travel incident to education exchanges not involving academic study pursuant to a degree program.

CACR Amendments

The specific CACR amendments authorize: Group people-to-people educational travel to Cuba; Travel to attend or organize professional meetings and conferences in Cuba; and Donative remittances to Cuba. The amendments also remove certain restrictions on authorized academic educational activities and the \$1,000 quarterly limit on family remittances. The amendments pertinent to UNC Chapel Hill activities can be summarized as follows:

- 31 CFR § 515.564 - Professional research and professional meetings in Cuba.
 - (a)(2) Travel-related and other transactions incident to travel to Cuba to attend or organize professional meetings or conferences in Cuba are authorized, provided the following:
 - For attendees - The purpose of the meeting or conference directly relates to the traveler's profession, professional background, or area of expertise, including area of graduate-level full-time study; and
 - For organizers – The traveler's profession must be related to the organization of professional meetings or conferences or the traveler must be an employee or contractor of an entity that is organizing the professional meeting or conference; and

¹U.S. Federal Register, 87 FR 35088, “Cuban Assets Control Regulations: A Rule by the Foreign Assets Control Office.” June 9, 2022. <https://www.federalregister.gov/documents/2022/06/09/2022-12445/cuban-assets-control-regulations>.

² U.S. Department of State, Press Statement “Biden Administration Expands Support to the Cuban People.” May 16, 2022. <https://www.state.gov/biden-administration-expands-support-to-the-cuban-people/>.

- Traveler activities do not include free time or recreation in excess of that consistent with a full-time schedule of attendance at, or organization of, professional meetings or conferences.
- 31 CFR § 515.565 – Educational Activities.
 - (b) Travel-related transactions and such additional transactions as are directly incident to education exchanges not involving academic study pursuant to a degree program are authorized, provided all of the following:
 - Exchange takes place under auspices of an organization that is a person subject to U.S. jurisdiction and that sponsors such exchanges to promote people-to-people contact;
 - Transactions pursuant to this authorization must be for the purpose of engaging, while in Cuba, in a full-time schedule of activities intended to:
 - enhance contact with the Cuban people,
 - support civil society in Cuba, or
 - promote the Cuban people’s independence from Cuban authorities;
 - Each traveler has a full-time schedule of educational exchange activities that will result in meaningful interaction between the traveler and individuals in Cuba;
 - An employee, paid consultant, or agent of the sponsoring organization accompanies each group traveling to Cuba to ensure that each traveler has a full-time schedule of education exchange activities; and
 - Predominant portion of the activities of the traveler is not with a prohibited official of the Government of Cuba or a prohibited member of the Cuban Communist Party.
 - **Please Note:** Entities or institutions sponsoring travel pursuant to § 515.565(b) above must retain records sufficient to demonstrate that each individual traveler has engaged in a full-time schedule of activities that satisfy the requirements above. Individuals may rely on the entity sponsoring the travel to satisfy their recordkeeping requirements under this specific section. All records must be furnished to OFAC upon demand.

Conclusion

The regulatory amendments to the CACR add the general authorization (license) authority for UNC Chapel Hill to partake in these activities, as well as those already permitted under the same sections, pursuant to the same requirements outlined above. The anticipated impact to the University will be mostly for travel to Cuba and international study programs involving Cuba and are also unrelated to degree programs. The export compliance office is always willing to answer any questions or concerns having to do with these regulatory updates or other Cuba-related activities. Please contact exportcontrol@unc.edu with any questions and please always feel free to visit our website on [Comprehensive Sanctions](#) for additional information.